

**7831.0300 REQUEST FOR COMPENSATION.**

Subpart 1. **Request filing and notice.** An applicant for an award of compensation shall file with the commission a request for compensation. The applicant shall also serve a copy of the request on each known party to the proceeding and shall file with the commission an affidavit of service. The request must be filed as soon after notice of a filing, proceeding, or prehearing conference as is reasonably possible, but at least 75 days after the notice or 30 days before the beginning of evidentiary hearings in the proceeding, whichever occurs later. The request must satisfy the requirements of subparts 2 to 5.

Subp. 2. **General information.** The request for compensation must contain the following information, as applicable:

- A. the name and address of the applicant or representative of an organization;
- B. for an organization, the names, addresses, and titles of the members of its governing body, a description of the organization's general purposes, size, and structure, and whether it is a nonprofit organization incorporated under Minnesota Statutes, chapter 317; and
- C. the proceeding for which the compensation is requested.

Subp. 3. **Insufficient financial resources.** The applicant shall show as part of the request that, but for an award of compensation for its intervenor costs under this chapter, the applicant has insufficient financial resources to intervene and participate effectively in the proceeding. The request must address the factors set forth in part 7831.0800, subpart 3. The applicant shall provide a summary description of finances, distinguishing between grant funds committed to specific projects, if applicable, and discretionary funds, showing the financial status of the applicant, including at least:

- A. a listing of actual annual revenues and expenses for the previous year, projected revenues and expenses for the current year, and principal revenue sources;
- B. a listing of actual assets and liabilities or balance sheet for the previous year and projected assets and liabilities or balance sheet for the current year;
- C. the amount of assets and revenues that are firmly committed to other expenditures and how intervention, but for an award, may constrain programs of public benefit;
- D. the amount of its own funds the applicant will spend on its participation;
- E. an explanation of why the applicant cannot use the excess of assets over liabilities, if any, to cover its intervenor costs; and
- F. if the applicant is an organization, the scope or amount of benefit in comparison to the organization's estimated intervenor costs.

If available, the applicant shall file a copy of its audited financial statements. The applicant may reference its audited financial statements to satisfy items A to F.

If the commission has determined within the previous year before receiving the request that the applicant has met its burden of showing insufficient financial resources and if the applicant can attest that there has been no substantial change in available discretionary resources, the applicant may refer to that decision to satisfy the requirement of this subpart.

Subp. 4. **Budget.** The applicant shall file as part of the request an estimate of its intervenor costs, the basis for the estimate, the extent of financial commitment to participation, and a specific budget showing the total compensation, not to exceed the maximum amount allowed by Minnesota Statutes, section 237.075, subdivision 10, to which the applicant believes it may be entitled.

Subp. 5. **Statement of participation.** The applicant shall file as part of the request a statement of the nature and extent of planned participation in the proceeding as far as it is possible to set it out when the request is filed. The statement must include a list of positions and issues that the applicant intends to present, raise, or respond to in the proceeding, an explanation of how an issue affects the applicant's interest in the proceeding, and a clear indication of which viewpoints or ideas the applicant believes are substantive, novel, or significant and why their presentation would contribute to a fair determination of an issue in the proceeding.

**Statutory Authority:** *MS s 14.388; 237.075; Laws 2007 c 57 art 3 s 40*

**History:** *15 SR 1599; 33 SR 712*

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